P 9

G. R. S. IX-5]

Previous references.

File No. 47-18

1918: 19
(Police)

Serial Nos. 1 + 2

Later references.

PoC 55-18 & 4-5

P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 + 2

Part B for 1st January 1918.

SUBJECT.

Circular by the I.G. of Police directing prosecuting & investigating officers to proceed to Bangalore to assist the Govt. Advocate in appeal cases.

RC 2. To the I.G. of Police
" Govt. Advocate
(Yr. G. 6288-9 of 26-9-1918.

States that it is necessary for respective officers to proceed to Bangalore to assist the Govt. Advocate in all cases & that in all other cases in which the Dt. Magte: considers that personal assistance should be given to the Govt. Advocate the Prosecuting Insp'rs. or investigating officers may be entrusted with the

W D 88—GPB—50,000—24-7-18

G. R. S. III—1] 1918. 3097

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 47-18

FILE HEADING.

Circular by the D. G. of Police directing the Prosecuting & Investigating Officers to proceed to Bangalore to instruct the Govt Advocate in Appeal

From

The Offg: D. G. of Police in Mysore.

No. 1307/77 Dated 17/10 th Aug 1918 Received 22-8-1918

Diary No. G. 3097 Enclos. — Spare Copies. — Serial No. 1

BRIEF ABSTRACT OF LETTER.

Solicits orders for the issue of a circular to the above effect and that Police Supdts might go only in important cases having obtained previously the permission of the D. G. of Police.

NOTES AND ORDERS.

Subd with a draft.

23/8

?) It is not clear from the papers under disposal whether the presence of the Investigating officer at Bangalore is absolutely necessary in all appeal cases to instruct the Govt Advocate.

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-13

G. R. S. III-2]

a,047

General and Revenue Secretariat. | File No. of 191 .

Serial No.

If approved, the Govt Advocate will be consulted as regards the cases in which such instructions are necessary.

EB
3/9

First Member

2) No objection

30/8

4) Forwarded unofficially with compliments to the Government Advocate for favour of opinion.

By order
Brunsdon
3/9 for Chief Secy

5) I send herewith a form which is now in use & which has been in use for many years past from which it will be seen that no particular grade of Police officers, or for the matter of that any Police officer is as a rule required here to give me instructions. It is left absolutely to the discretion of the Dt magte to issue instructions, if any, in any form they like. No doubt the presence

NOTE—Contn. sheet.

WL A 1739—GPB—60,000—20-3-13—

Serial No.

of the Investigating officer or the Prosecuting Inspector who is acquainted with the locality & with such of the details of the case, as have not been put upon the record as part of the Evidence in Court, is helpful when Judges desire to have information on any matter which is not clear from the records of the Case - Eg. in Dacoity & Rioting Cases particularly in Malnad I have invariably found their presence useful - When the I. G. of Police wrote asked me sometime back if the presence of the Supdt of Police as a rule was necessary in Criminal appeals or whether the Investigating Officers or Prosecuting Inspectors could not do that work satisfactorily I wrote to say that it was not necessary that Supdt of Police should, as a rule go over here, & that I understood that whenever they came either they or the Dt magte considered that the nature of the case was such as to require their personal instructions being given. As a matter of fact

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 47 of 1918-19

Serial No.

many Cases do not require any instruction whatsoever. It is only in Complicated Cases of an important nature that the presence of local Police officers may be required, and such Police officer as Could be spared with the minimum amount of disturbance to public duty, which the D.' magte. may perhaps be the best judge, may be sent. Personally speaking I shall be Content even with a Jamedar if he is fully posted up with all the details of the Case & is thoroughly Conversant with the investigation. I have invariably found Prosecuting Inspectors very helpful to me.

Edwardmidge
for Macleod

3-9-18.

NOTE—Contn. sheet.

WD A 1769—GPB—60,000—20-8-18—S.

Police file no. 47 of 19 08-09 5

191

FROM

THE GOVERNMENT ADVOCATE

IN MYSORE.

To

THE DISTRICT MAGISTRATE

OF

Dated

Despatched

Received

General No.
No.

Enclosure No.

Has the honor to forward notice, to be kindly returned when done with, in criminal No. of 19 received from the Chief Court, and to request that he will be good enough to issue instructions, if any, at an early date.

Govt. Advocate in Mysore.

GPB—1,000- 15-6-15

G. R. S. III-2]

3097

General and Revenue Secretariat.

Police File No. 47 of 191 8-19

Serial No.	
	1) Subd.
	Rh. 5-9-18
	2) Please put up draft amendments
	Draft subd.
	Rh. 17-9-18.
	Please put up a fair draft
	Fair draft subd.
	Rh. 18-9-18
	In favour of approval
	First Member's draft approved by the Chairman
	20/9/18
	Issue 24/9
2	To, The I. G of Police The Govt Advocate No G 6288-9 of 26-9-18 Orders that in all cases in which the D.M considers that personal instructions should be given to the Govt Advocate, the Prosecuting Inspectors or investigating officers they [illegible]

1296/20/9

B 27/9

NOTE—Contn. sheet.

WD A 1799—GPB—60,000—20-3-18—S.

No. 1207/77 Office of the Inspr-Genl of Police in Mysore,

Dated Camp Mysore, 17th/20 August 1918.

DIARY

From

Mir Hamza Husein, Esqr., B.A. B.L.,

Offg.Inspector General of Police in Mysore.

To

C. S. Balasundaram Iyer, Esqr., B.A.,

Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

Sir,

I have the honour to state that I have noticed Superintendents of Police leaving their Districts and coming to Bangalore, often, to instruct the Government Advocate in appeal cases in the Chief Court. It appears to me that in all ordinary appeals against the conviction of accused persons, the proper person to instruct the Government Advocate is either the officer who investigated the case or the Prosecuting Inspector who conducted the prosecution in the lower court or was present in the Sessions Court. When I was the Superintendent of Police, the practice was for the Magistrate himself to send up written instructions, if any. I do not know how the present practice came into existence. It is no doubt better that police officers themselves should go and instruct the Government Advocate, but it is not necessary that the Superintendents should go for that purpose. Instances have come to notice of a Superintendent of Police coming to Bangalore in jail appeals to give instructions to the Government Advocate, with the permission of the Deputy Commissioner; and it has often times happened that the cases have not been heard on the dates notified and the Superintendents have gone back without being present at the time of hearing. As their frequent absence from the District causes dislocation of work and puts the Government to unnecessary expenditure, I propose issuing a circular to the effect that, as a general rule, investigating officers or Prosecuting Inspectors should go to Bangalore to instruct the Government Advocate, but that in important cases, the Police Superintendents may go, but only with the previous sanction of the Inspector General of Police. As

this interferes with the ordinary powers of the Deputy Commissioners, I have brought the matter to the notice of the Government, and if my proposal is approved I shall issue the proposed circular.

2. I may state that the Government Advocate who was consulted in the matter, does not consider the presence of the Superintendents necessary to give him instructions.

I have the honour to be,

Sir,

Your most obedient servant,

Offg. Inspector General of Police.

(4

G.R.S. VI-71]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Police

File No. 47-18

Serial No. 2

General and Revenue Secretariat

( )

Proceedings of the Government of
His Highness the Maharaja of Mysore.

, *the* 191 .

Date of issue 7-6-

Signed by .....

Read.—

Letter no. 1307-77 dated the 17/20th August 1918 from the I.G. of Police in Mysore requesting approval of Govt. to his issuing a circular directing that ordinarily investigating officers or Prosecuting Inspectors should go to Bangalore to instruct the Govt. Advocate in appeals instead of Police Supdts.

Order Thereon:—No.

Order No.

May this be

i Printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the press?

vi published in the Gazette Kannada part?

P.T. over.

1D

Govt. consider that it is not necessary for Supdt. to go to Bangalore to instruct the Govt. Advocate in all cases. If, in any particular case, it is considered by the Dt. Magistrate that the deputation of the Supdt. is necessary for this purpose, then that Police Officer may undertake the journey to Bangalore with the previous sanction of the I.G. of Police. In all other cases, in which the Dt. Magte. considers that personal instructions should be given to the Govt. Advocate, the Prosecuting Inspector or investigating officers may be entrusted with this work.

A circular may issue accordingly.

20/9/18

Ch. Secy. to Govt.

List of enclosures.

Copied by

Examined by

To

The I.G. of Police in Mysore.

The Govt. Advocate.

18.9.18.